

**REMARKS**

This Amendment, submitted in response to the Office Action dated October 4, 2005, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1, 3-8 and 10-16 are all the claims pending in the application.

**I. Claim Objections**

The Examiner objected to claim 8 for a minor informality. Applicant has amended the informality and as set forth above in the Amendments to the Claims.

**II. Claim Rejections under 35 U.S.C. § 103**

Claims 1, 3-8 and 10-16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Usuba et al. (U.S. Patent No. 6,614,754) in view of Ikeda et al. (U.S. Patent No. 6,144,633).

Claim 1 recites “A method of re-routing a path installed in a **transoceanic** Multiplex Section Shared Protection Ring network...” The Examiner cites Usuba for teaching this aspect of the claim. However, Usuba is not directed to a transoceanic Multiplex Section Shared Protection Ring network. Moreover, Ikeda does not cure this deficiency.

Claim 1 further recites:

“wherein a second span of the path becomes affected by a second failure, further comprising:

releasing the re-routing performed because of the first failure on the first span;

**selecting one of the first and second spans; and**  
**re-routing the path over a time slot of the low priority channels**  
**corresponding to a time slot of the high priority channels of the first or**  
**second span that has been selected.”**

The Examiner concedes that Usuba does not teach these aspects of the claims and cites Ikeda, col. 5, lines 7-16, 18-20, and 29-31, to cure the deficiencies. Ikeda is directed to a method for transmission line switching. The respective column and lines cited by the Examiner describes that a signal failure is given higher priority than signal deterioration in the event of multiple failures (Rule 1). In the event that the priority of the line failures are the same, the switching of the lines already protected will be retained (Rule 2). As illustrated in Fig. 34 of Ikeda, in the conventional switching method, a protection line between nodes A and B will stop protecting line #1 according to Rule 1. A protection line between nodes B and C will continue to protect line #3 according to Rule 2.

However, there does not appear to be any teaching or suggestion in Ikeda that after stopping protecting line #1 according to Rule 1, which the Examiner cites for teaching “releasing the re-routing performed because of the first failure on the first span”, of **selecting** one of the first and second spans.

Moreover, the Examiner has not established where the cited art discloses “re-routing the path over a time slot of the low priority channels corresponding to a time slot of the high priority channels of the first or second span that has been selected.” Regardless, there does not appear to be any teaching or suggestion in either Ikeda or Usuba of re-routing a path over a time slot of

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the low priority channels corresponding to a time slot of the high priority channels of the first or second span that has been selected.

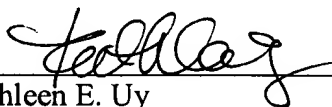
For at least the above reasons, claim 1 and its dependent claims should be deemed allowable. To the extent claims 8 and 16 recite similar elements, claims 8 and 16 and their dependent claims should be deemed allowable for similar reasons.

### III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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